

SP

Notice of Allowability

Application No.

10/802,433

Examiner

Mike Chambers

Applicant(s)

NYE ET AL.

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/05 paper.
2. ☒ The allowed claim(s) is/are 1,3,4,6-25 and 27-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|


EUGENE KIM
 SUPERVISORY PATENT EXAMINER

Terminal Disclaimer

The terminal disclaimer filed on 11/28/05 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted for US application 10/737,034 has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with R. Gilmore on January 26, 2006.

The application has been amended as follows:

Claims 2, and 26 have been canceled in their entirety.

In Claim 1: The term "a resistance mechanism" in line 14 has been replaced with—
a resistance mechanism, for maintaining said rim in a perpendicular plane to said backboard.

The term "rim assembly." in line 15 has been replaced with—

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rim assembly, and said basketball goal assembly having a single fastener that pivotally connects the support arms of the rim assembly, the elongated members of the backboard support frame, and the lower pair of arms of the support structure.

In Claim 9: The term “a resistance mechanism” in line 12 has been replaced with—
a resistance mechanism, for maintaining said rim in a perpendicular plane to said backboard.

In Claim 15: The term “a resistance mechanism” in line 11 has been replaced with—
a resistance mechanism for maintaining said rim in a perpendicular plane to said backboard.

In Claim 24: The term “a resistance mechanism” in line 10 has been replaced with—
a resistance mechanism, for maintaining said rim in a perpendicular plane to said backboard.

The term “portion.” in line 11 has been replaced with—
portion and wherein the support frame includes two elongated members; wherein the rim attachment portion includes two support arms; and wherein a first end of the resistance mechanism is disposed between the elongated members of the support frame and a second end of the resistance mechanism is disposed between the support arms of the rim assembly.

Reasons for Allowance

The prior art does not show or suggest a basketball goal system having a support pole, backboard and a support frame including two elongated members that extend below a lower portion of the backboard and having a resistance mechanism with a single fastener that pivotally connects the support arms, elongated members of the support frame and the lower pair of arms of the support structure in addition to the other elements of the structure claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Chambers whose telephone number is (571) 272-4407. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Kim can be reached on (571) 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 27, 2006


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